

AO 120 (Rev. 3/04)

TO:	Mail Stop 8	<b>SOLICITOR</b>	<b>REPORT ON THE</b>
	Director of the U.S. Patent and Trademark Office		
	P.O. Box 1450	<b>JUN 20 2007</b>	<b>ACTION REGARDING A PATENT OR</b>
	Alexandria, VA 22313-1450		<b>TRADEMARK</b>

**U.S. PATENT & TRADEMARK OFFICE**

In Compliance with 35 U.S.C. § 290 and/or 15 U.S.C. § 1116 you are hereby advised that a court action has been filed in the U.S. District Court Southern District of Indiana on the following ☒ Patents or ☐ Trademarks:

DOCKET NO.	DATE FILED	U.S. DISTRICT COURT
		Southern District of Indiana
PLAINTIFF		DEFENDANT
CEG HOLDINGS, INC.		LASCO BATHWARE, INC.
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK
1 6,279,177 B1	8/28/2001	CEG
2 6,357,060 B2	3/19/2002	CEG
3		
4		
5		

In the above—entitled case, the following patent(s)/ trademark(s) have been included:

DATE INCLUDED	INCLUDED BY		
	<input type="checkbox"/> Amendment	<input type="checkbox"/> Answer	<input type="checkbox"/> Cross Bill
	<input type="checkbox"/> Other Pleading		
PATENT OR TRADEMARK NO.	DATE OF PATENT OR TRADEMARK	HOLDER OF PATENT OR TRADEMARK	
1			
2			
3			
4			
5			

In the above—entitled case, the following decision has been rendered or judgement issued:

DECISION/JUDGEMENT

CLERK	(BY) DEPUTY CLERK	DATE
<i>Samuel Briggs</i>	<i>Philip A. Gordon</i>	6/20/2007

Copy 1—Upon initiation of action, mail this copy to Director Copy 3—Upon termination of action, mail this copy to Director  
Copy 2—Upon filing document adding patent(s), mail this copy to Director Copy 4—Case file copy

IN THE UNITED STATES DISTRICT COURT  
SOUTHER DISTRICT OF INDIANA  
INDIANAPOLIS DIVISION

07 JUN 19 PM 4:51

CEG HOLDINGS, INC.

Plaintiff

v.

LASCO BATHWARE, INC.,

Defendant

Civil Action No.

**1: 07-cv-0787-LJM-JMS**

**COMPLAINT FOR PATENT INFRINGEMENT**

1. This action arises under the Patent Laws of the United States, Title 35, United States Code, sections 101 *et seq.* This Court has jurisdiction over the subject matter for this action pursuant to 28 U. S.C. sections 1331 and 1338.

2. Plaintiff, CEG Holdings, LLC. ("CEG") is an Indiana limited liability company with a principal place of business at 8100 Steepleside Dr., Burr Ridge, Illinois 60527.

3. Defendant, Lasco Bathware, Inc. ("Lasco"), is believed to be a California corporation with its principal place of business at 8101 East Kaiser Boulevard, Suite 130, Anaheim, California 92608, and conducts substantial business in Indiana.

4. Defendant is subject to this Court's personal jurisdiction because, on information and belief, they regularly solicit business from, do business with and/or derive and/or engage in significant business activities in this district as set forth in Paragraph 3 of this Complaint.

5. Venue is proper in this judicial district under 28 U.S.C. sections 1391(c) and 1400(b) because Defendant regularly solicits business from, does business with and/or derives and/or engages in significant business activities in this district as set forth in Paragraph 3 of this Complaint.

**THE ASSERTED PATENTS**

6. U.S. Patent No. 6,279,177 B1 entitled "Method and Apparatuses for Purging Water From a Whirlpool System", issued on August 28, 2001. The '177 patent is directed towards methods and apparatuses for circulating water in whirlpool bathtubs. See Appendix A.

7. CEG is the rightful owner of all right, title and interest in the '177 patent.

8. U. S. Patent No. 6,357,060 B2 entitled, "Method and Apparatuses for Purging Water From a Whirlpool System," issued on March 19, 2002. The '060 patent is directed towards methods and apparatuses for circulating water in whirlpool bathtubs. See Appendix B.

9. CEG is the rightful owner of all right, title and interest in the '060 patent.

10. U. S. Patent No. 6,523,192 B2 entitled, "Method and Apparatuses for Purging Water From a Whirlpool System," issued on March 19, 2002. The '192 patent is directed towards methods and apparatuses for circulating water in whirlpool bathtubs. See Appendix C.

11. CEG is the rightful owner of all right, title and interest in the '192 patent.

**COUNT I: INFRINGEMENT OF '177 PATENT**

12. CEG realleges and incorporates by reference Paragraphs 1-11 of this Complaint as fully set forth herein.

13. Defendant manufactures, uses, sells, offers for sale and/or provides whirlpool bathtubs under the Contours™ mark, and perhaps other marks attributed to owned and/or controlled by Defendant as well, to customers in the territory of the United States. See Appendix C.

14. One such device as named in paragraph 12 of this Complaint is sold by Defendant under the Contours™ mark. See Appendix D.

15. Plaintiff contacted Defendant on at least two (2) previous occasions putting Defendant on notice of Plaintiff's '177 patent rights. See Appendices E and F. Nonetheless, Lasco appears to be intent on continuing to infringe the '177 patent unless enjoined by this Court.

**COUNT II: INFRINGEMENT OF '060 PATENT**

16. CEG realleges and incorporates by reference Paragraphs 1-15 of this Complaint as fully set forth herein

17. On information and belief, Defendant has and/or is infringing at least one claim of the Plaintiff's '060 patent by manufacturing, using, selling, offering for sale and/or providing whirlpool bathtubs under the Contours™ mark, and perhaps other marks assigned owned and/or controlled by Defendant as well, to customers in the territory of the United States. See Appendix D.

18. Plaintiff contacted Defendant on at least two (2) previous occasions putting Defendant on notice of Plaintiff's '060 patent rights. See Appendices E and F.

Nonetheless, Lasco appears to be intent on continuing to infringe the '060 patent unless enjoined by this Court.

**COUNT III: INFRINGEMENT OF '192 PATENT**

19. CEG realleges and incorporates by reference Paragraphs 1-18 of this Complaint as fully set forth herein

20. On information and belief, Defendant has and/or is infringing at least one claim of the Plaintiff's '192 patent by manufacturing, using, selling, offering for sale and/or providing whirlpool bathtubs under the Contours<sup>TM</sup> mark, and perhaps other marks assigned owned and/or controlled by Defendant as well, to customers in the territory of the United States. See Appendix D.

21. Plaintiff contacted Defendant on at least two (2) previous occasions putting Defendant on notice of Plaintiff's '192 patent rights. See Appendix E. Nonetheless, Lasco appears to be intent on continuing to infringe the '192 patent unless enjoined by this Court.

**PRAYER FOR RELIEF**

WHEREFORE, CEG demands judgment against Defendant and prays for an Order granting:

A. An injunction permanently restraining Defendant, its officers, agents, servants, employees, and attorneys, and all persons and/or business entities in active concert or participation with it, from further acts of infringement of the '177, '060 pr '192 patents.

B. An accounting to determine the damage caused Plaintiff by Defendant's acts of infringement and an award to Plaintiff of the amount of damage so determined, together with interest and costs.

C. Increased damages up to three (3) times the amount of actual damages pursuant to 35 U.S.C. section 284.

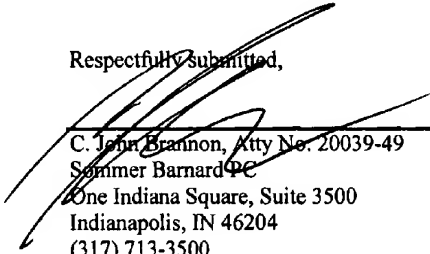
D. An award to plaintiff of its reasonable attorney's fees under 35 U.S.C. section 285.

E. Such other and further relief as may be appropriate.

**DEMAND FOR JURY TRIAL**

Pursuant to F.R.C.P. 38(b), Plaintiff hereby demands a trial by jury for all issues so triable.

Respectfully submitted,



C. John Brannon, Atty No. 20039-49  
Summer Barnard PC  
One Indiana Square, Suite 3500  
Indianapolis, IN 46204  
(317) 713-3500

Attorneys for Plaintiff  
CEG Holdings, LLC